

MELINDA HAAG (CABN 132612)
United States Attorney

DAVID R. CALLAWAY (CABN 121782)
Chief, Criminal Division

KYLE F. WALDINGER (CABN 298752)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-6830
Facsimile: (415) 436-7234
E-mail: kyle.waldinger@usdoj.gov

ALLAN GORDUS (MOBN 48210)
Trial Attorney

DOJ Consumer Protection Branch
Liberty Square Building
450 5th Street, NW, Sixth Floor South
Washington, D.C. 20001
Telephone: (202) 307-1862
Facsimile: (202) 514-8742
E-mail: allan.gordus@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR 08-00164 RS
)	
Plaintiff-Respondent,)	
)	STIPULATION AND [PROPOSED]
v.)	ORDER AMENDING BRIEFING
)	SCHEDULE
W. SCOTT HARKONEN,)	
)	
Defendant-Petitioner.)	
)	
)	

The United States, by and through its counsel Assistant United States Attorney Kyle F. Waldinger and U.S. Department of Justice Trial Attorney Allan Gordus, and the defendant-petitioner W. Scott Harkonen, by and through his counsel Dennis P. Riordan, stipulate and agree as follows:

1. On July 30, 2014, W. Scott Harkonen filed a Petition for Writ of Error Coram

STIP. AND [PROPOSED] ORDER
CR 08-00164 RS

1 Nobis under 28 U.S.C. § 1651(a) seeking an order vacating his conviction. Doc. 399. The
2 Petition was subsequently assigned to the Honorable Richard Seeborg. Doc. 403.

3 2. On August 14, 2014, the Court issued an order directing the United States to show
4 cause as to why the Petition should not be granted. The Court ordered the United States to file its
5 response by September 15, 2014.

6 3. On August 27, 2014, based on a stipulation of the parties, the Court amended the
7 briefing schedule to allow the United States to file any opposition seeking dismissal or denial of
8 the Petition on December 12, 2014, and for the Defendant-Petitioner to file his reply on January
9 30, 2015. CR 406. On December 2, 2014, based on another stipulation of the parties, the Court
10 again amended the briefing schedule to allow the United States to file any opposition seeking
11 dismissal or denial of the Petition on January 23, 2015, and for the Defendant-Petitioner to file his
12 reply on February 27, 2015. CR 410.

13 4. Since August, counsel for the United States has been working on the United States'
14 opposition. However, because of work on other matters and the number of issues raised in the
15 Petition, the United States needs additional time to complete a thorough response to the Petition.

16 5. Accordingly, after conferring, the parties now jointly stipulate and agree to the

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1 following amended briefing schedule:

2 February 6, 2015 Government to file any opposition seeking dismissal or
3 denial of the Petition

4 March 13, 2015 Defendant-Petitioner to file any reply

5 SO STIPULATED.

6 Dated: January 16, 2015

MELINDA HAAG
United States Attorney

8
9 /s/

10 KYLE F. WALDINGER
Assistant United States Attorney

11 ALLAN GORDUS
12 Trial Attorney

13
14 Dated: January 16, 2015

/s/

15 DENNIS P. RIORDAN
16 Attorney for W. SCOTT HARKONEN

17 IT IS SO ORDERED.

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19 Dated: 1/16/2015

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HON. RICHARD SEEBORG
United States District Court Judge